

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

RYAN C. MINAFEE,

Plaintiff,

v.

SGT. EBERT, LT. GARY and CO II FOSS,

Defendants.

ORDER

Case No. 18-cv-569-jdp

Plaintiff Ryan C. Minafee, a prisoner in the custody of the Wisconsin Department of Corrections, has filed a proposed civil complaint. Plaintiff is a prisoner and, therefore, subject to the 1996 Prison Litigation Reform Act. Plaintiff has requested leave to proceed without prepayment of the filing fee, and submitted a trust account statement covering from July 7, 2018 to July 13, 2018 to support this request. This statement is insufficient to determine whether plaintiff qualifies for indigent status because the statement does not cover the *six-month* period immediately preceding the filing of the complaint.

For this case to proceed, plaintiff must submit a six-month trust fund account statement no later than August 29, 2018. If I find that plaintiff is indigent, I will calculate an initial partial payment amount that must be paid before the court can screen the merits of the complaint under 28 U.S.C. § 1915(e)(2). Thereafter, plaintiff will be required to pay the balance of the filing fee in installments.

ORDER

IT IS ORDERED that plaintiff Ryan C. Minafee may have until August 29, 2018 to submit a certified trust fund account statement for the period beginning approximately January

20, 2018 and ending approximately July 20, 2018. If, by August 29, 2018, plaintiff fails to respond to this order, I will assume that plaintiff wishes to withdraw this action voluntarily. In that event, the case will be closed without prejudice to plaintiff filing the case at a later date.

Entered this 31st day of July, 2018.

BY THE COURT:

/s/
PETER OPPENEER
Magistrate Judge